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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,447	08/26/2003	Akihiro Hashimoto	Q77147	1646
23373	7590	06/15/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			NEGRON, DANIEL L	
		ART UNIT		PAPER NUMBER
				2651

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/647,447	HASHIMOTO, AKIHIRO
	Examiner	Art Unit
	Daniell L. Negrón	2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 April 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4,7,10,13,16 and 19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,4,7,10,13,16 and 19 is/are rejected.  
 7) Claim(s) 1 and 4 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 26 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 01/22/04.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Species I (Figure 3, and page 4, line 12 through page 9, line 7) corresponding to claims 1, 4, 7, 10, 13, 16, and 19 in the reply filed on April 29, 2005 is acknowledged.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on January 22, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

### ***Claim Objections***

Claims 1 and 4 are objected to because of the following informalities:

Regarding claim 1, the recitation "...CRC code..." lacks antecedent basis. Examiner suggests the acronym be defined at least once in the claims as "...cyclic redundancy code (CRC)...".

Regarding claim 4, the recitation "...a fourth CRC code..." lacks antecedent basis since there exists no recitation of a second or third CRC codes in parent claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 7, 10, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Riches et al U.S. Patent Application Publication No. 2002/0035695.

Regarding claim 1, Riches et al disclose a recording medium cartridge (4) comprising a recording medium (4a) and a cartridge memory (3), wherein a first CRC code produced from data recorded in the recording medium (page 1, paragraphs 6 and 23) is recorded in the cartridge memory in an un-rewritable state (page 1, paragraph 26 and page 3, paragraph 86).

Regarding claims 4 and 7, Riches et al disclose a recording/reproducing apparatus (2) for recording/reproducing a recording medium cartridge (4) comprising a CRC code comparing means which compares a fourth CRC code produced from data recorded in the recording medium with a first CRC code corresponding to the data recorded in the cartridge memory (3) and an authentication determining means which determines authentication of data recorded to the recording medium based on a comparison result of a CRC code comparing means, wherein the first CRC code and the fourth CRC code accord in a comparison result by the CRC code comparing means, the authentication determining means judges that recorded data in the recording medium is authentic (i.e. valid) and wherein the first CRC code and the fourth CRC code do not accord in the comparison result by the CRC code comparing means, the authentication determining means judges that the recorded data in the recording means judges that the recorded data is not authentic (page 1, paragraph 19, page 2, paragraphs 46-49, and page 5, paragraph 113).

Regarding claims 10 and 13, Riches et al disclose a recording medium cartridge (4) wherein the recording medium (4b) is an optical or magnetic tape (page 1, paragraphs 1 and 2).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riches et al U.S. Patent Application Publication No. 2002/0035695 in view of Malakapalli et al U.S. Patent No. 6,467,060.

Regarding claims 16 and 19, Riches et al disclose a recording medium cartridge with all the limitations of claim 1 as discussed above including the recording medium being a tape medium but fail to show the recording medium being a magnetic or an optical disk.

However, Malakapalli et al disclose an error detecting data storage device that uses cyclic redundancy codes (CRC) for the purpose of detecting and correcting errors (i.e. authenticating) of data recorded on a storage medium (column 2, lines 18-59). Malakapalli et al further disclose that the device is used for error detection and correction (i.e. authentication) of data recorded on a magnetic or optical disk medium (column 14, lines 38-43).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use other types of media such as a magnetic disk or an optical disk with the data authentication disclosed by Riches et al since it is considered well-known in the art to use a disk instead of a tape and no unexpected result is to occur.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniell L. Negrón whose telephone number is 571-272-7559. The examiner can normally be reached on Monday-Friday (8:30-6:00) alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DLN  
May 17, 2005

DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600